

Noel M. Cook (SBN 122777)  
 ncook@owe.com  
 Alica Del Valle (SBN 246006)  
 adelvalle@owe.com  
 OWEN, WICKERSHAM & ERICKSON, P.C.  
 455 Market Street, Suite 1910  
 San Francisco, California 94105  
 (415) 882-3200 (phone)  
 (415) 882-3232 (fax)

James D. Weinberger  
 jweinberger@fzlz.com (*pro hac vice* application pending)  
 Giselle C. Woo  
 gwoo@fzlz.com (*pro hac vice* application pending)  
 FROSS ZELNICK LEHRMAN & ZISSU, P.C.  
 866 United Nations Plaza  
 New York, New York 10017  
 (212) 813-5900 (phone)  
 (212) 813-5901 (fax)

*Counsel for Plaintiffs The Gap, Inc. and  
 Gap (Apparel) LLC*

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA**

THE GAP, INC. and GAP (APPAREL)  
 LLC,

Plaintiffs,

v.

GREG MURPHY D/B/A GAPNOTE INC.  
 and GAPNOTE.COM,

Defendant.

Case No. C 10-04354 EDL

**REQUEST AND [PROPOSED] ORDER  
 TO CONTINUE INITIAL CASE  
 MANAGEMENT CONFERENCE  
 AND ADR DEADLINES**

**LOCAL RULE 6-1(b)**

Plaintiffs, THE GAP, INC. and GAP (APPAREL) LLC, hereby request a  
 continuation of the Initial Case Management Conference and ADR deadlines, set by the  
 Court's scheduling order of **September 27, 2010**.

Plaintiff has not yet served Defendant, GREG MURPHY D/B/A GAPNOTE INC.  
 and GAPNOTE.COM, with the Complaint and Summons in this case because the parties  
 have been actively engaged in settlement discussions. The parties have reached a  
 settlement in principle of the matter and are working on documentation of the settlement.

The deadline for the Rule 26(f) report, Initial Disclosures and Joint Case Management Statement is **December 28, 2010** and the Initial Case Management Conference is currently set for **January 4, 2010**. The deadline by which Plaintiff must serve the Complaint and Summons in this case is **January 25, 2011**.

Accordingly, Plaintiffs, THE GAP, INC. and GAP (APPAREL) LLC, request the Initial Case Management Conference and the associated deadlines be continued for thirty (30) days. Because no other deadlines have been scheduled by the Court, the schedule for the case will not otherwise be affected. There have been no previous time modifications in this case.

Plaintiff did not obtain a stipulation to the requested continuation because it has not yet effected service upon Defendant, and neither Defendant nor counsel for Defendant have appeared.

Dated: December 21, 2010

By: 

Noel M. Cook (SBN 122777)

ncook@owe.com

Alica Del Valle (SBN 246006)

adelvalle@owe.com

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*Counsel for Plaintiffs The Gap, Inc. and Gap  
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**PROPOSED ORDER**

IT IS ORDERED that the Initial Case Management Conference and the associated deadlines are continued for **thirty (30) days**. ~~A revised scheduling order will be issued by the Court.~~ The initial case management conference is continued to February 8, 2011 at 4:00 p.m. A joint case management conference statement shall be filed no later than February 1, 2011.

Dated: December 21, 2010

By: Elizabeth D. Laporte  
Elizabeth D. Laporte  
United States Magistrate Judge